



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,334	09/11/2003	Leonard M. Greene	2057/144	3786

23338 7590 01/27/2006

DENNISON, SCHULTZ, DOUGHERTY & MACDONALD  
1727 KING STREET  
SUITE 105  
ALEXANDRIA, VA 22314

EXAMINER

DINH, TIEN QUANG

ART UNIT PAPER NUMBER

3644

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**MAILED**

JAN 27 2006

Technology Center 3600

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/659,334  
Filing Date: September 11, 2003  
Appellant(s): GREENE, LEONARD M.

\_\_\_\_\_  
David E. Dougherty  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 11/4/05 appealing from the Office action mailed 5/4/05.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

Art Unit: 3644

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

No amendment after final has been filed.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 11-13 are rejected over Moore in view of Grondin, Jensen, Mathews et al, and Latin.

**(10) Response to Argument**

The Examiner respectfully disagrees with the applicant's arguments that Moore does not teach storing data in which the helicopter can start safely. First, the Examiner would like to point out that the applicant has used his specification to argue that Moore doesn't teach what he is claiming. The claims does not claim a "hot start". The claims must be read as broadly as possible. Now the critical matter in this appeal is the temperature of the engine at start up. Start up of an engine can be interpreted broadly. Start up can take one second to as long as one hour if the pilot/designer desire it so. Thus the term "start up" can be interpreted very broadly. The claims call for data storage means and means for inputting. Clearly Moore teaches these. Data storage means are memory storage devices and means for inputting clearly can be keyboards, which is clearly well known. Now, Moore clearly teaches a helicopter engine over-stress warning system in which there are sensors to detect the operating parameters of the helicopter engine. Once the condition is met, the controller sets off signals that the engine is over-stressed. Please note that Moore clearly teaches a "safe engine temperature profile" since if the engine is over-stressed, the engine is clearly operating outside of the safe engine temperature profile and hence it sends out a signal of dangerous condition. Furthermore, as for the "start up" of the engine, Moore's warning system can operate at "start up." Once the engine of Moore is turned on, his warning system would immediately go into affect. Hence, the warning can be used at "start up" or as soon as the engine is turned on.

As for the arguments on Grondin, Jensen, Mathews et al, and Latin, these references were used to disclose various parts to allow coolant to be pumped into an aircraft to prevent engine malfunctions.


Art Unit: 3644

In conclusion, the applicant is using his disclosure to interpret his claims. Furthermore, the start up of the engines can be broadly interpreted as anytime that one skilled in the art feels it is "safe" to start up the engine.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Tien Dinh

A handwritten signature in black ink, appearing to read "Tien Dinh", with a stylized flourish at the end.

Conferees:

JWE JWE

TL TL